

EXHIBIT A



Gary R. Jones
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July 28, 2022

VIA E-MAIL

Andrew K. Stutzman, Esquire
Stradley, Ronon, Stevens & Young, LLP
2005 Market Street, Suite 2600
Philadelphia, PA 19103

RE: First Capital Real Estate Trust

Dear Mr. Stutzman:

I am in receipt of your July 19, 2022 letter as well as your July 26, 2022 letter. Both letters incorrectly claim that First Capital Real Estate Trust, Inc., as a forfeited corporation, has “no legal authority to act except for the limited purpose of liquidation.” See July 26, 2022 letter, second paragraph. You then claim that because of the status as forfeited, the motion to intervene in the *FTE Networks, Inc. v. Szkaradek, et al.* case currently pending in the U.S. District Court for the District of Delaware must be withdrawn. Despite your assertions to the contrary, Maryland law is clear. Pursuant to the Annotated Code of Maryland, Corporations and Associations article, even a forfeited corporation may “[s]ue or be sued in the name of the corporation”. MD. CODE ANN., CORPS & ASS’N § 3-515(c)(3). Even a quick review of the Maryland Annotated Code would have shown you that the directors of a corporation and the corporation itself that has forfeited its charter have the authority to file the Motion to Intervene both in Pennsylvania and Delaware. Accordingly, the Motion to Intervene recently filed in Delaware is proper and will not be withdrawn.

Moreover, the proper steps have been taken in Maryland to revive the charter for First Capital Real Estate Trust, Inc. including the filing of Form 1 corporate forms for the corporation for 2020 through 2022 with the Maryland State Department of Assessments and Taxation.

Finally, for the sake of clarity and to avoid any confusion, we do not represent any of the directors, officers or other individuals associated with First Capital Real Estate Trust, Inc. other than Frank Forelle. In addition, Ms. Scrivani is counsel of record in the Delaware action. She has

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checked her spam filter and emails and she is not receiving any of your communications. Please ensure that moving forward, any and all communications on this matter are copied to Ms. Scrivani.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary R. Jones". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Jones".

Gary R. Jones

cc: Stacey A. Scrivani, Esquire